



*Adopted: June 26, 1996*

*EMID 6067 Board Policy 705*

*Revised: May 18, 2005; March 18, 2015*

## **705 INVESTMENTS**

### **I. PURPOSE**

The purpose of this policy is to establish guidelines for the investment of EMID funds.

### **II. GENERAL STATEMENT OF POLICY**

It is the policy of EMID to comply with all state laws relating to investments and to guarantee that investments meet certain primary criteria.

### **III. SCOPE**

This policy applies to all investments of the surplus funds of EMID, regardless of the fund accounts in which they are maintained, unless certain investments are specifically exempted by the Board through formal action.

### **IV. AUTHORITY; OBJECTIVES**

- A. EMID funds shall be deposited or invested in accordance with this policy, Minn. Stat. §§ 118A. and any other applicable law or written administrative procedures.
- B. The primary criteria for the investment of the funds of the district, in priority order, are as follows:
  - 1. Safety and Security – Safety of principal is the first priority, The investments of the district shall be undertaken in a manner that seeks to ensure the preservation of the capital in the overall investment portfolio.
  - 2. Liquidity – The funds shall be invested to assure that funds are available to meet immediate payment requirements, including payroll, accounts payable, and debt service.
  - 3. Return and Yield – The investments shall be managed in a manner to attain a market rate of return through various economic and budgetary cycles, while preserving and protecting the capital investment portfolio and taking into account constraints on risk and cash flow requirements.

### **V. DELEGATION OF AUTHORITY**



- A. The Executive Director or business manager of EMID is designated as the investment officer of EMID and is responsible for investment decisions and activities under the direction of the Board. The investment officer shall operate EMID's investment program consistent with this policy. The investment officer may delegate certain duties to a designee but shall remain responsible for the operation of the program.
- B. All officials and employees that are a part of the investment process shall act professionally and responsibly as custodians of the public trust, and shall refrain from personal business activity that could conflict with the investment program or which could reasonably cause others to question the process and integrity of the investment program. The investment officer shall avoid any transaction that could impair public confidence in EMID.

## **VI. STANDARD OF CONDUCT**

The standard of conduct regarding EMID investments to be applied by the investment officer shall be the "prudent person standard." Under this standard, the investment officer shall exercise that degree of judgment and care, under the circumstances then prevailing, that persons of prudence, discretion and intelligence would exercise in the management of their own affairs, investing not for speculation and considering the probable safety of their capital as well as the probable investment return to be derived from their assets. The prudent person standard shall be applied in the context of managing the overall investment portfolio of EMID. The investment officer, acting in accordance with this policy and exercising due diligence, judgment and care commensurate with the risk, shall not be held personally responsible for a specific security's performance or for market price changes. Deviations from expectations shall be reported in a timely manner and appropriate actions shall be taken to control adverse developments.

## **VII. MONITORING AND ADJUSTING INVESTMENTS**

The investment officer shall routinely monitor existing investments and the contents of EMID's investment portfolio, the available markets and the relative value of competing investment instruments.

## **VIII. INTERNAL CONTROLS**

The investment officer shall establish a system of internal controls which shall be documented in writing. The internal controls shall be reviewed by the administration and annually reviewed for compliance by EMID's independent auditors. The internal controls shall be designed to prevent and control losses of public funds due to fraud, error, misrepresentation, unanticipated market changes or imprudent actions by officers, employees or others. The internal controls may include, but shall not be limited to, provisions relating to control of collusion, separation of functions, separation of transaction authority from accounting and record keeping, custodial safekeeping,



avoidance of bearer form securities, clear delegation of authority to applicable staff members, limitations regarding securities losses and remedial action, written confirmation of telephone transactions, supervisory control of employee actions, minimizing the number of authorized investment officials, and documentation of transactions and strategies.

**IX. PERMISSIBLE INVESTMENT INSTRUMENTS**

EMID may invest its available funds in those instruments specified in Minn. Stat. § 118A.04 and 118A.05, as these sections may be amended from time to time, or any other law governing the investment of EMID funds.

**X. PORTFOLIO DIVERSIFICATION; MATURITIES**

A. Limitations on instruments, diversification and maturity scheduling shall depend on whether the funds being invested are considered short-term or long-term funds. All funds shall normally be considered short-term except those reserved for building construction projects or specific future projects and any unreserved funds used to provide financial-related managerial flexibility for future fiscal years.

B. EMID shall diversify its investments to avoid incurring unreasonable risks inherent in over-investing in specific instruments, individual financial institutions or maturities. Investments maturities shall be scheduled to coincide with projected school district cash flow needs, taking into account large routine or scheduled expenditures, as well as anticipated receipt dates of anticipated revenues. Maturities for short-term and long-term investments shall be timed according to anticipated need. Within these parameters, portfolio maturities shall be staggered to avoid undue concentration of assets and a specific maturity sector. The maturities selected shall provide for stability of income and reasonable liquidity.

**XI. COMPETITIVE SELECTION OF INVESTMENT INSTRUMENTS**

Before EMID invests any part of the fund balance in a specific investment instrument, a competitive bid or quotation process shall be utilized. If a specific maturity date is required, either for cash flow purposes or for conformance to maturity guidelines, quotations or bids shall be requested for instruments which meet the maturity requirement. If no specific maturity is required, a market trend analysis, which includes a yield curve, will normally be used to determine which maturities would be most advantageous. Quotations or bids shall be requested for various options with regard to term and instrument. EMID will accept the quotation or bid which provides the highest rate of return within the maturity required and within the limits of this policy. Generally, all quotations or bids will be computed on a 360-day yield. Records will be kept of the quotations or bids received, the quotations or bids accepted and a brief explanation of the decision that was made regarding the investment. If EMID contracts with an investment advisor, bids are not required in those circumstances specified in the contract with the advisor.



## **XII. QUALIFIED INSTITUTIONS AND BROKER-DEALERS**

- A. EMID shall maintain a list of the financial institutions that are approved for investment purposes.
- B. Prior to completing an initial transaction with a broker, EMID shall provide to the broker a written statement of investment restrictions which shall include a provision that all future investments are to be made in accordance with Minnesota Statutes governing the investment of public funds. The broker must acknowledge receipt of the statement of investment restrictions and agree to handle the EMID's account in accordance with these restrictions. EMID may not enter into a transaction with a broker until the broker has provided this written agreement to the school district. The notification form to be used shall be that prepared by the State Auditor. A copy of this investment policy, including any amendments thereto, shall be provided to each such broker.

## **XIII. SAFEKEEPING AND COLLATERALIZATION**

- A. All investment securities purchased by EMID shall be held in third-party safekeeping by an institution designated as custodial agent. The custodial agent may be any federal reserve bank, any bank authorized under the laws of the United States or any state to exercise corporate trust powers, a primary reporting dealer in United States Government securities to the Federal Reserve Bank of New York, or a securities broker-dealer defined in Minn. Stat. § 118A.06. The institution or dealer shall issue a safekeeping receipt to EMID listing the specific instrument, the name of the issuer, the name in which the security is held, the rate, the maturity, serial numbers and other distinguishing marks, and other pertinent information.
- B. Deposit-type securities shall be collateralized as required by Minn. Stat. § 118A.03 for any amount exceeding FDIC, SAIF, BIF, FCUA, or other federal deposit coverage.
- C. Repurchase agreements shall be secured by the physical delivery or transfer against payment of the collateral securities to a third party or custodial agent for safekeeping. EMID may accept a safekeeping receipt instead of requiring physical delivery or third-party safekeeping of collateral on overnight repurchase agreements of less than \$1,000,000.

## **XIV. REPORTING REQUIREMENTS**

The investment officer shall generate monthly transaction reports for management purposes. In addition, the EMID Board shall be provided a monthly report that shall include data on investment instruments being held as well as any narrative necessary for clarification.



## **XV. DEPOSITORIES**

The Board shall annually designate one or more official depositories for EMID funds. The treasurer may also exercise the power of the Board to designate a depository. The Board shall be provided notice of any such designation by its next regular meeting. EMID and the depository shall each comply with the provisions of Minn. Stat. § 118A.03 and any other applicable law, including any provisions relating to designation of a depository, qualifying institutions, depository bonds, and approval, deposit, assignment, substitution, addition and withdrawal of collateral.

## **XVI. ELECTRONIC FUNDS TRANSFER OF FUNDS FOR INVESTMENT**

EMID may make electronic fund transfers for investments of excess funds upon compliance with Minn. Stat. § 471.38.

***Legal References:*** Minn. Stat. § 118A.01 (Public Funds; Depositories and Investments)  
Minn. Stat. § 118A.02 (Authorization for Deposit & Investment)  
Minn. Stat. § 118A.03 (Depositories & Collateral)  
Minn. Stat. § 118A.04 (Investments)  
Minn. Stat. § 118A.05 (Contracts and Agreements)  
Minn. Stat. § 118A.06 (Deliveries & Safekeeping)  
Minn. Stat. § 471.38 (Claims)

***Cross References:*** EMID Policy 703 (Annual Audit)  
Minnesota Legal Compliance Audit Guide prepared by the Office of the State Auditor